

MORNING APPEAL

THURSDAY, MARCH 6, 1879

NEVADA LEGISLATURE—NINTH SESSION.

Senate—Fifty-ninth Day.

CARSON CITY, March 5, 1879.

The Senate convened at 10:30 o'clock with the President in the Chair. Quorum present. Prayer by Rev. Mr. Hammond.

PETITIONS.

By Shepherd—From citizens of Cornucopia against the action of the Elko Grand Jury, considering each and every man on that jury as entitled to the scorn of every good man, as they overstepped the functions of their office and exceeded their authority; also, asking the representatives of Elko County to stand by their pledges made before election, and use their influence to relieve the people of extortionate charges on freights and fares. Signed by 100 citizens.

REPORTS OF COMMITTEES.

By Meder, from Committee on Enrollment—That several bills have been found correctly enrolled and deposited with the Governor.

By Martin, from Committee on Engrossment—Have found several bills so ordered correctly engrossed.

By Schultz, from Committee on Claims—Senate bill 109, favorably, on claim of R. G. Montrose; also, unfavorably on claim for supplies furnished State Prison in 1870; also, favorably on claim of G. I. Lammon for copying.

By Boardman, from Judiciary Committee—Senate bill 178, supplemental to the Fee Act, favorably with amendments.

By Shepherd, from Committee on Agriculture—Unfavorably on Senate bill to establish a labor bureau in this State.

By Select Committee on Senate bill 178, a substitute bill relative to incorporation of towns. On motion the substitute was adopted.

By Schultz, from Storey Delegation—Senate bill 133, for consolidation of government of Virginia City and Gold Hill, without recommendation.

Mr. Gibson presented a petition against such consolidation signed by 800 citizens.

From Ormsby delegation—Senate bill 173, relative to fund for County Buildings, favorably with amendments.

MOTIONS AND RESOLUTIONS.

By Schultz—That the Controller pay the claims of G. I. Lammon for copying. Adopted.

By Westerfield—That members be confined to five minutes for discussion of questions unless leave be granted by a two-thirds majority. Adopted.

By Schultz—To pay Mr. Henderson \$75 for extra clerical work. Adopted.

By Boardman—To reconsider the vote on the Haines substitute railroad bill.

Mr. Comins moved to lay the motion on the table.

Mr. Boardman stated that the bill was in direct conflict with the last section of the Williams bill and in effect would repeal the Act. This was conceded by the railroad people.

Ayes and noes called. Motion carried by the following vote:

Ayes—Comins, Dayton, Doolin, Farrell, Gallagher, Haines, King, Martin, Meder, Stone, Thompson, Westerfield. Total 12.

Noes—Boardman, Cassidy, Gibson, Kaiser, McConnell, Powning, Schultz, Shepherd, Stewart, Wheeler. Total 10.

MESSAGES FROM THE ASSEMBLY.

Transmitting several bills upon which action has been taken in that body and reported.

SECOND READING OF BILLS.

Assembly bill 141, to prevent fraud in sale of jewelry. Referred to Committee on Manufactures.

BILLS INTRODUCED.

By Schultz—To amend the printing Act. [Provides for bids for stationery from stationers only in this State.] Under suspension of rules put upon final passage and lost. Ayes 7, noes 15.

By Cassidy (without notice)—To prevent involuntary servitude or slavery in the State of Nevada and enforce Art. 17 of Sec. 1 of the State Constitution. [Has reference to the contract system of the Chinese. Making the collection of wages of coolies a misdemeanor punishable by fine of from \$300 to \$1,000.]

Mr. Cassidy stated that in consequence of the President's veto of the Act to regulate the immigration of the Chinese, he hoped to get at the root of the matter through the provisions of our own Constitution.

Mr. Stewart considered the bill proposed by Mr. Cassidy almost an inspiration, and thought it would be re-echoed from every State in the Union.

Under suspension of rules the bill passed unanimously.

Recessed for one hour.

AFTERNOON SESSION.

Reconvened at 1 P. M., the President in the Chair.

Mr. Stewart moved to take from the table Senate bill 134, relative to the Compiled Laws. Lost.

BILLS INTRODUCED.

Robinson's Assembly bill 92, to amend the Revenue Law. Relative to salaries of Treasurers of Eureka and Elko Counties. Under suspension of rules passed.

By Stewart (without notice)—For the payment of James Butler for maps, \$200.

On statement that the provisions of the bill were met in the appropriation it was withdrawn.

GENERAL FILE.

Powning's Senate bill 50, to amend the State Printing Act. [Provides that the Journals be bound in cloth instead of paper.] Passed.

Boardman's Senate bill 137, to prevent the wasting of irrigating waters. Passed.

Mr. Doolin moved to take from the table Senate bill 98 (the Sheriff's fee bill). Lost.

Kaiser's Senate bill supplemental to the Election Law. Laid on the table.

Cassidy's Senate bill to pay W. H. Sweeney. Laid on the table.

Powning's Senate bill 160, to protect the rights of owners in mines. Laid on the table.

Boardman's Senate bill 104 to create a State Board of Health. Laid on the table.

Cassidy's Senate bill 159, to pay F. H. Harmon. Passed.

Cassidy's Senate bill 5, to authorize District Judges to appoint Court Commissioners. Laid on the table.

Comins' Senate bill 96, to amend the law relative to insolvent debtors. Laid on the table.

McConnell's Senate bill 112, to define the rights of persons in certain places. [The railroad platform bill.] Laid on the table.

Farrell's Senate bill 161, to amend the tax law. Laid on the table.

Stone's Senate bill 171, to amend the Revenue Law. [The Drummer Law.] Laid on the table.

Boardman's Senate bill 144—Relative to railroads (the reconstructed Woodburn bill). Laid on the table by the following vote:

Yea—Comins, Dayton, Doolin, Farrell, Gallagher, Haines, King, Martin, Meder, Perley, Stone, Thompson, Wheeler—13.

Nay—Boardman, Cassidy, Creswell, Gibson, Kaiser, McConnell, Powning, Schultz, Shepherd, Stewart, Westerfield—11.

Meder's Senate bill 23—To prevent frauds at elections. Laid on the table.

Meder's Senate bill 174—To provide for free passage of Chinese to the Eastern cities. Laid on the table.

Powning's Senate bill 141—To regulate the delivery of freight (the Clarke bill).

Ayes and noes called for on Cassidy's motion to lay on table, which prevailed by the following vote:

Yea—Boardman, Cassidy, Creswell, Dayton, Doolin, Farrell, Gibson, Haines, Kaiser, King, Perley, Schultz, Shepherd, Stewart, Wheeler—15.

Nay—Comins, Gallagher, Martin, McConnell, Meder, Powning, Stone, Thompson, Wheeler—9.

King's Senate bill 150—Authorizing the purchase of the Warm Springs Hotel property for use of State Prison (appropriates \$12,000 for such purpose). Passed—yeas, 15; noes, 7.

Farrell's Senate bill 158—To aid the orphan asylum at Virginia City. Laid on the table by vote of 13 to 11.

Westerfield's Senate bill—To provide for meteorological reports. Laid on the table.

Comins' Senate bill 110—For relief of Kimball & Swallow, sufferers during the Indian outbreak. Passed.

Cassidy's Senate bill 37—To provide for payment of claims of C. A. Witherell and B. Edson. Ordered engrossed.

Westerfield moved that Senate bill 98 (the sheriff's fee bill) be taken from the table. Carried.

Discussion ensued as to its place on the file, the resolution of yesterday raising the question. Placed at bottom of the file.

Senate bill 106—For relief of B. F. Wallace of Storey County for loss of poll tax receipts. Passed—yeas, 15; noes, 7.

McConnell, by leave, reported out of order a report for payment of enrolling clerks' room rent. Adopted.

Schultz's Senate bill 178—Supplemental to the Act regulating fees of county officers. Passed.

Wheeler's Senate bill 168—To provide payment for certain claims. Laid on the table.

Haines's Senate bill 179—For relief of R. G. Montrose of Douglas county, \$90 for a mistake in assessing property. Referred to Committee of the Whole.

Schultz's Senate bill 133—To provide for a consolidated government of Storey county. Laid on the table.

Boardman's Senate bill—Substitute for 167 relative to government of unincorporated towns. Passed.

Boardman's Senate bill 126—To establish a Labor Bureau. Laid on the table.

Meder's Senate bill 173—To authorize the building of a Court House in Ormsby county, and the issue of bonds therefor. Passed.

Wheeler's Senate bill 154—To provide for heating the Legislative Halls. Laid on the table.

Recessed until 7 P. M.

EVENING SESSION.

Convened at 7 P. M., President in the chair.

Assembly bill 64—Providing for a deficiency in the Secretary of State's office. Considered as having been considered in Committee of the Whole and reported favorably.

MESSAGES FROM ASSEMBLY.

Returning Senate bill 124 (the appropriation bill) as amended, and several other bills.

Senate bill 124 (the appropriation bill) then taken up. Amended in the Assembly by raising the amount for clerical aid from \$1,000 to \$2,000 in Secretary of State's office. Motion to concur lost.

Same amendment proposed for the offices of Controller and Treasurer not concurred in.

Amendment making the Secretary of State one of the Board of Commissioners not concurred in.

Amendment reducing the appropriation for Capitol Commissioners not concurred in; also like reduction for fuel and lights same action; also appropriation for postage same sort of reduction and same action.

Wermuth's Assembly bill 91—To pay the claim of H. Knight of Eureka County, \$300 for copying militia roll. Passed.

Mayhugh's Assembly bill 72—For payment of funeral expenses of Hon. R. L. Wash. Passed.

Smith's Assembly bill 103—To pay certain claims against the State for expenses incurred during the Indian outbreak. Passed.

Substitute Assembly bill 142—To prohibit the employment of Chinese on public works. Passed.

Lawson's Assembly bill 29—To amend the election law. [Prohibits the printing of any but straight tickets.] Lost.

Wermuth's Assembly bill 94—To encourage the boring of artesian wells by giving a bounty of \$2 per foot after the first 100 feet. Moved to make the bounty payable after reaching 500 feet. Lost.

Bill passed—yeas, 14; noes, 9.

Assembly bill 118—To amend the Act relative to crimes and punishments. [Makes embezzlement larceny.] Passed.

Assembly bill 127—To provide for calling of extra terms of court. Laid on the table.

Substitute for Assembly bill 14—To amend the State Orphan Home Act by admitting children of divorced parents. Indefinitely postponed.

On motion the message from the Assembly stating they would not recede from their amendments to the appropriation bill was read.

On motion Messrs. Comins, King and Westerfield were appointed a conference committee to confer with a like committee from the House on this matter.

Fraser's Assembly bill 85—To aid the Nevada Building Association. Made special order for to-morrow at 11 A. M.

Assembly bill 102—To amend the Act concerning Surveyor General. Laid on the table.

Assembly 99—Relative to the flow of water in the Truckee. [Provides for prosecution of parties diverting said waters.] Passed—yeas, 15; noes, 6.

Mayhugh's Assembly Joint Resolution asking for the establishment of a daily mail route between Elko and Tuscarora. Passed.

King reported from the Conference Committee relative to the appropriation bill, that they failed to agree and asked that a free conference committee be appointed. Agreed to, and the same gentlemen appointed as free conference committee.

Adjourned at 9:34 P. M.

Assembly—Fifty-ninth Day.

Convened at 10:30 A. M. Speaker Gaston in the chair. Prayer by Rev. Mr. Weir.

REPORTS OF COMMITTEES.

By Vansickle, from Committee on Contingent Expenses—Favorably, the claim of W. H. Chedie, for services as flag-man, and a resolution introduced to pay him \$60 therefor was adopted.

MESSAGE FROM THE GOVERNOR.

Announcing his approval of Prisk's Assembly bill 105, relative to special taxes.

MOTIONS AND RESOLUTIONS.

Allen of Lincoln—To pay the rent of room used by the Judiciary Committee. Adopted.

GENERAL FILE.

In Committee of the Whole, Speaker pro tem in the chair—The general appropriation bill for the Senate. When the committee rose it reported the striking out of the \$75,000 amendment recommended by the Committee on Ways and Means. The report was adopted and the bill passed.

Recessed for one hour.

AFTERNOON SESSION.

Reconvened at 1:15 P. M., Speaker presiding, who called the Speaker pro tem. to the chair for the purpose of considering his bill, No. 101, to regulate the price of water—Reduces rates one-half on the Virginia and Gold Hill Water Company. Passed, yeas, 41; noes, 4.

GENERAL FILE.

Cassidy's Senate bill 184—Making violation of any laws regulating freights and fares a misdemeanor, subject to fine of \$2,000 on conviction. Passed unanimously.

In Committee of the Whole the following bills were considered: Senate bill 182, appropriating \$2,500 for relief of Silver City fire sufferers. Recommended passage.

Gibson's Senate bill 75—To establish an asylum for the indigent and maimed of this State. Passage recommended.

Committee rose and reported as instructed. Senate bill, substitute for the Lewis bill (the Haines bill) was, on motion of Mayhugh, together with all other railroad bills, made the special order for this evening at 7:30 P. M.

Mayhugh by leave introduced a resolution that Assembly bills have the preference for consideration. Adopted.

Also to limit members to five minutes discussion. Adopted.

Assembly bill 71—Relative to water supply for the Capitol and State Orphans' Home. Senate amendment concurred in.

Assembly bill 124—To amend the Act relative to the purchase of Legislative supplies. Passed.

Mayhugh's Assembly bill 137—To amend the highway Act. Passed.

Assembly bill 116—For relief of Mrs. Whitford, \$100, and Mr. Putnam, \$250, for a claim not paid by the last Controller. Passed.

Assembly bill 121—To provide for use of Moffat punch-bell. Laid on the table.

Plummer's Assembly bill 131—To amend the Civil Practice Act. Passed.

Shakespeare's Assembly joint resolution—Relative to Chinese immigration. Laid on the table.

Assembly bill 132—Regulating the duties of County Commissioners. Passed.

Assembly bill 104—To provide for election of Warden of State's Prison by the people. Passed.

Assembly bill 125—To provide for destruction of noxious animals. Laid on the table.

Assembly bill 140—Authorizing the collection of small debts. Passed.

Recess till 7 o'clock P. M.

EVENING SESSION.

Reconvened at 7 P. M. Speaker presiding. The special order for this time being the consideration of the several bills proposing to regulate freights and fares on railroads.

Smith of Lyon moved to take up his Assembly bill 107 relating to the subject matter. Agreed to.

A motion to indefinitely postpone failed.

The bill was then refused engrossment by the following vote:

Yeas—Beard, Fisk, Foulks, Fraser, Green, Hanna, Harlow, Kennedy, Lawson, Lyons of Storey, Lyon of White Pine, Mayhugh, Melarkey, Morrison, Plummer, Robinson, Shakespeare, Smith of Lyon, Smyth of Lander, Williams, Mr. Speaker—21.

Nays—Allen of Lincoln, Allen of Storey, Andrews, Crawford, Eldred, Flannery, Fulton, Ferguson, Gibson, Haggar, Howe, Irvine, Lamb, Lane, Paton, Powell, Price, Prisk, Sharp, Smith of Eureka, Smith of Storey, Taylor, Underwood, Vansickle, Watt, Wermuth, Wilson—27.

Assembly bill 130 (Lyons of Storey) on the same subject.

Allen of Lincoln moved to lay on the table.

Agreed to yeas, 25; noes, 23.

Assembly bill 133 (Taylor's) to the same effect.

Allen of Lincoln moved to lay on the table.

Agreed to yeas, 25; noes, 23.

Assembly bill 26 (Gaston's) to the same effect.

Allen of Lincoln moved to lay on the table.

Agreed to yeas, 27; noes, 21.

Senate bill 131—To provide for government for unincorporated towns by Boards of County Commissioners, upon petition of citizens of any town. Passed.

Schultz's Senate bill 178—The county officer salary bill, fixing the maximum of fees to be received by officers into county treasuries. Passed, yeas, 40; noes, 7.

The Senate having advised the House of its non-concurrence in House amendments to appropriation bill, Mayhugh moved to appoint a Committee of Conference on the matters of difference between the two Houses. Agreed to, and Messrs. Mayhugh, Foulks and Lane appointed as such committee.

Allen of Lincoln moved to take up Haines' Senate bill, substitute for Assembly bill 120, to regulate railroad fares and freights.

Ruled out of order.

Senate substitute for Powning's salary bill. Amended and passed.

Allen (of Lincoln) moved to take from the table the Senate substitute (Haines' bill) to regulate fares and freights on railroads.

The point was raised that it required a suspension of rules.

Motion to suspend rules lost by vote of Ayes 31, noes 16; not a two-thirds majority.

Mayhugh reported from Committee of Conference relative to the appropriation bill a failure to agree. The Speaker then appointed the same committee part of a free conference.

Adjourned at 10 P. M.

FOR THE RELIEF OF THE RENO SUFFERERS.

The proposition to do something here for the relief of the Reno sufferers has assumed the definite shape of a ball. The ball thus agreed upon as the easiest and readiest means of relief will take place on Friday (to-morrow) night, at the Opera House. Prof. Varney will furnish the music free, the hall will be free, the gas will be free and everything else will be free—printing and all, except the admission. It will cost three dollars for a ticket of admittance. The gross receipts, then will be turned over to the sufferers. Now there is some sound, practical sense in this proposition. We must all "stand in" and do our level best.

S. B. The Masons were to have a party to-morrow night. Out of regard for and sympathy with this move, they have postponed their entertainment. Good.

MESSAGES for Miss Sue Robinson, Miss Lizzie Ingles and Charles B. Gregory remain uncalled for at the Western Union Telegraph office.

ALWAYS AHEAD.

Instead of waiting for the turn of the season before getting new goods, we take pleasure in informing our patrons that we have just received a Complete New Stock of Dress Goods and exquisite Fancy Goods which we offer at such remarkably low prices that they would induce the most stingy father and husband to dive down for his bottom dollar.

We have received a consignment of One Hundred Cloak with positive instructions to close them out at any price, and we will do it.

MRS. J. SHEYER & CO.
Carson, January 28, 1879.

San Francisco Stock Exchange Sales

MORNING BOARD

| |
|-----------------------------|
| Opium 35½ 30½ |
| Mexican 38 |
| Gold & Curry 9 ¾ 9½ |
| Best & Belcher 17½ |
| California 57 |
| Consolidated Virginia 5½ |
| Chollar Potosi 30½ |
| Hale & Norcross 14½ 14¾ |
| Crown Point 4 30 |
| Yellow Jacket 17½ 17 |
| Savage 11½ |
| Alpha 17½ |
| Belcher 6½ 6¾ |
| Confidence 13¾ |
| Imperial 1 ½ |
| Kentuck 3¾ |
| Sierra Nevada 43½ 43 |
| Utah 12½ |
| Bullion 5½ 5¼ |
| Eschequer 4¼ 4 90 |
| Seg. Belcher 27 |
| Overman 11 11¾ |
| Justice 4 15 |
| Succor 4 50 |
| Union Consolidated 63 68½ |
| Alta 5¼ |
| Lady Bryan 1 15 |
| Julia 4¼ |
| Caledonia 270 |
| Phil Sheridan 200 |
| Challenge 2 60 |
| Silver Hill 2 65 |
| Sutro 200 |
| New York Con. 400 |
| St. Louis 500 |
| Leviathan 400 |
| Andes 450 |
| North Cons Virginia 11 110¾ |
| Lady Washington 1 |
| Benton 4 20 |
| Flowers 8 50 |
| W. Fargo 150 |
| Solid Silver 500 |
| N. Bonanza 1¼ |
| Ward 125 |
| Scorpion 1 45 |
| Raltimore 1 |
| Kosuth 2 50 |
| Mackay 3 65 |
| Douglas 4 00 |
| Plumas 1¼ |
| Dardanelles 2 05 |